

SAO

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

J.M. and I.M., minors by and through
their natural parent and guardian,
JESSICA HARGROVE,

Plaintiffs,

vs.

ANDREA HERNANDEZ; WALDO
HERNANDEZ; ANITA MOODY; LISA
BROCHU; KIM KALLAS; LISA RUIZ-LEE;
PAULA HAMMACK; DOE Individuals I-X;
ROE CLARK COUNTY DEPARTMENT OF
FAMILY SERVICES EMPLOYEES XI-XX,
individually and in their official
capacities; COUNTY OF CLARK, a
political subdivision of the State of
Nevada; and ZOE CORPORATIONS XXI-
XXX,

Defendants.

CASE NO.: 2:14-cv-01197-JAD-
NJK

**STIPULATION AND ORDER TO
EXTEND DISCOVERY
(SECOND REQUEST)**

Pursuant to FRCP 6 and FRCP 26, the parties, by and through their
respective counsel of record, hereby stipulate and agree to jointly move this
Court for an Order to:



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- 1 1. Extend the discovery cut-off deadline from 08/07/15 to 12/07/15;
- 2 2. Extend the last date to amend pleadings and add parties from
- 3 05/11/15 to 09/08/15;
- 4 3. Extend the date for FRCP 26(a)(2) disclosures (experts) from 06/08/15
- 5 to 10/08/15;
- 6 4. Extend the date to disclose rebuttal expert witnesses from 07/08/15 to
- 7 11/09/15;
- 8 5. Extend the date to file dispositive motions from 09/08/15 to 01/06/16;
- 9 6. Extend the date to file the Interim Status Report from 06/08/15 to
- 10 10/08/15;
- 11 7. Extend the date to file the Joint Pre-Trial Order from 10/08/15 to
- 12 02/05/16; and
- 13 8. Extend the date to file Pre-Trial Disclosures or objections to the Pre-
- 14 Trial Order from 11/06/15 to 03/07/16.

15 **I. DISCOVERY COMPLETED**

16 Defendants, Anita Moody; Kim Kallas; Lisa Ruiz-Lee; Paula Hammack; and
17 County of Clark, provided their Initial Witness and Document Disclosure
18 Pursuant to FRCP 26(a)(1) on September 23, 2014, and have since provided eight
19 supplemental disclosures. Plaintiffs provided their Initial Witness and Document
20 Disclosure Pursuant to FRCP 26(a)(1) on September 24, 2014, and has since
21 provided one additional disclosure. Defendant, Lisa Brochu, provided her Initial
22 Witness and Document Disclosure Pursuant to FRCP 26(a)(1) on September 29,
23 2014, and has since provided two supplemental disclosures.

1 Plaintiffs propounded written discovery on Defendant, County of Clark,
2 and Defendant responded. Plaintiffs propounded written discovery on
3 Defendant, Lisa Brochu, and Defendant responded. Defendant, County of Clark,
4 propounded written discovery on Plaintiff, Jessica Hargrove. Plaintiff has
5 responded to the Requests for Admission; the remaining responses are due June
6 4, 2015.

8 Defendant Anita Moody and Defendant Lisa Brochu have been deposed.
9 The parties have also corresponded regarding the availability of the remaining
10 Defendants for their depositions.

11 **II. GROUNDS FOR DISCOVERY EXTENSION:**

12
13 Default was entered against Defendants, Andrea and Waldo Hernandez, on
14 August 21, 2014. (Dkt # 15.) After the remaining parties answered and
15 conducted discovery for several months, counsel for Mr. and Mrs. Hernandez
16 appeared. The Default was officially set aside on April 27, 2015. (Dkt # 28.) Mr.
17 and Mrs. Hernandez answered Plaintiff's Complaint and County of Clark's Cross-
18 Complaint on April 28, 2015. Subsequently, Defendant Brochu filed a Motion for
19 Leave to Amend Answer to Assert a Crossclaim against Mr. and Mrs. Hernandez
20 as well.

22 Meanwhile, all parties, including Mr. and Mrs. Hernandez, have been
23 diligently conducting discovery in this case. Defendants disclosed several
24 thousand pages of records.

25
26 Additionally, Defendants have designated almost 250 witnesses in their
27 disclosures, and it is unclear at this time which witnesses will need to be
28 deposed.

1 Therefore, the parties hereby stipulate and request that this Court extend
 2 discovery in the above-captioned case for another 120 days, up to and including
 3 December 7, 2015.

4 The parties recognize that this proposed extension is being sought less
 5 than twenty-one (21) days before the first upcoming deadline, the deadline for
 6 FRCP 26(a)(2) disclosures (experts). However, in the interests of fairness to the
 7 Hernandez Defendants, all parties agree that there is good cause to extend this
 8 deadline, and the remaining discovery deadlines. The parties first agreed to this
 9 extension two weeks ago, but with this many parties and attorneys involved, it
 10 took time to confirm specific details of the extension and stipulation.
 11

12 **III. DISCOVERY THAT REMAINS TO BE COMPLETED:**

13 **A. Plaintiffs:**

- 14 1. Plaintiffs would like to take the depositions of Defendants, Kim
 15 Kallas, Lisa Ruiz-Lee, Paula Hammack, Andrea Hernandez, and
 16 Waldo Hernandez; and additional witnesses disclosed by
 17 Defendants;
 18
- 19 2. Plaintiffs will propound written discovery upon Defendants,
 20 Andrea Hernandez and Waldo Hernandez; and
 21
- 22 3. Plaintiffs require additional time to designate experts and
 23 consider rebuttal experts.

24 **B. Defendants:**

- 25 1. Defendants would like to take the deposition of the Plaintiff;
 26
- 27 2. Defendants require additional time to potentially designate
 28 experts and consider rebuttal experts; and



1 3. Defendants may propound additional written discovery upon
2 Plaintiff.

3 The parties will continue to work together to get the remaining discovery
4 done and depositions completed.

5 **IV. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY:**

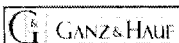
6 The parties have agreed to extend all of the discovery deadlines in this case
7 by 120 days, as set forth below:

- 9 1. Extend the discovery cut-off deadline from 08/07/15 to 12/07/15;
10 2. Extend the last date to amend pleadings and add parties from
11 05/11/15 to 09/08/15;
12 3. Extend the date for FRCP 26(a)(2) disclosures (experts) from 06/08/15
13 to 10/08/15;
14 4. Extend the date to disclose rebuttal expert witnesses from 07/08/15 to
15 11/09/15;
16 5. Extend the date to file dispositive motions from 09/08/15 to 01/06/16;
17 6. Extend the date to file the Interim Status Report from 06/08/15 to
18 10/08/15;
19 7. Extend the date to file the Joint Pre-Trial Order from 10/08/15 to
20 02/05/16; and

21 ///

22 ///

23 ///



8. Extend the date to file Pre-Trial Disclosures or objections to the Pre-Trial Order from 11/06/15 to 03/07/16.

DATED this 26th day of May, 2015.

DATED this 26th day of May, 2015.

GANZ & HAUF

OLSON, CANNON, GORMLEY, ANGULO
& STOBERSKI

/s/ Jason Lather

/s/ Felicia Galati

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*Attorney for Defendants, County of
Clark; Anita Moody; Kim Kallas; Lisa
Ruiz-Lee; and Paula Hammack*

DATED this 26 day of May, 2015.

DATED this 26th day of May, 2015.

KOLESAR & LEATHAM

KEATING LAW GROUP

/s/ John Keating

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Hernandez and Waldo Hernandez*

ORDER

IT IS SO ORDERED


UNITED STATES MAGISTRATE JUDGE

DATED: May 27, 2015



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